

REMARKS/ARGUMENTS

Upon entry of the above amendment, claim 41 will have been amended for consideration by the Examiner. Thus, claims 35-46 still remain pending. In view of the above, Applicant respectfully requests reconsideration of the outstanding objection and rejections of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicant would like to express his appreciation to the Examiner for the detailed Official Action provided.

Turning to the merits of the action, the Examiner has rejected claim 41 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly the subject matter which Applicant regards as the invention. By the present amendment, Applicant has amended claim 41 to clarify the scope of the invention. Thus, Applicant respectfully requests that the Examiner withdraw the rejection of claim 41.

The Examiner has rejected claims 35-40 and 42-46 under 35 U.S.C § 102(b), as being anticipated by MATSUNAI (U.S. Patent No. 5,357,350).

As noted above, Applicant has resubmitted the claims 35-40 and 42-46 for consideration. Applicant respectfully traverses the above rejection based on pending claims 35-40 and 42-46 and will discuss said rejection with respect to the pending claims in the present application as will be set forth below herein.

Applicant's claims 35 and 36 relate to an image recording apparatus which has a copy mode and a facsimile mode. The image recording apparatus comprises a panel section which has input keys operable to input a numerical value corresponding to at

P18896.A09

least one of a number of copies in the copy mode and a telephone number of a destination in the facsimile mode. The image recording apparatus includes a display section which displays at least one of a screen for the copy mode and a screen for the facsimile mode. A display capacity of the screen in the copy mode is smaller than a display capacity of the screen in the facsimile mode. The image recording apparatus further has a controller which, when the copy mode is set and when the numerical value input by the panel section exceeds the display capacity of the screen in the copy mode, switches from the copy mode to the facsimile mode. Claim 44 recites a related method.

Applicant's claims 37-39 relate to an image recording apparatus which has a copy mode and a facsimile mode. The image recording apparatus comprises a panel section which has an input key operable to input a numerical value corresponding to one of a number of copies in the copy mode and a telephone number of a destination in the facsimile mode, and which has a start key which starts one of copying and facsimile transmission. The image recording apparatus also comprises a controller which determines whether or not a numerical value input by the panel section is a numerical value corresponding to the number of copies when the copy mode is set, and which, when the numerical value input by the panel section is not the numerical value corresponding to the number of copies, does not start copying, even if the start key is actuated. Further, the controller waits for another input by the panel section when the controller does not start copying. Claim 45 recites a related method.

Applicant's claims 40-43 relate an image recording apparatus which has a copy mode and a facsimile mode. The image recording apparatus comprises a panel

section which has an input key operable to input a numerical value corresponding to one of a number of copies in the copy mode and a telephone number of a destination in the facsimile mode. The image recording apparatus also comprises a controller which determines, when the copy mode is set, whether or not a numerical value input by the panel section includes a predetermined character, and which switches from the copy mode to the facsimile mode when the numerical value input by the panel section includes the predetermined character. Claim 46 recites a related method.

On the contrary, MATSUNAI relates to an image forming apparatus which inputs a numeric value, sets the numeric value as the number of copies of a copy mode, and sets the numeric value as a number for specifying a destination of a facsimile mode. The image forming apparatus detects the number of figures (i.e., digits in the numeric), and performs one of the copy mode and the facsimile mode in accordance with the detected number of figures (i.e., digits in the numeric).

With respect to claims 35-36 and 44, the Examiner contends that "according to fig.4 of MATSUNAI, the display capacity of the screen (col.5, lines 19-21) in the copy mode cannot exceed 5 digits, while the display screen in the fax mode exceeds 5 digits" and that "MATUSNAI teaches a controller (PPC2, col.6, lines 45-46) which, when the copy mode is set and when the numerical value input by the panel section exceeds the display capacity of the screen in the copy mode (STP7 Fig.4), switches from the copy mode to the facsimile mode".

However, according to Fig. 4, MATSUNAI checks whether the number of inputs by the keys 18b reaches numeric limit (STP6). When the number of inputs by the keys 18b reaches the numeric limit (5), the copy mode is switched into the facsimile mode

(STP7). When the number of inputs by the keys 18b is 4 (less than the numeric limit (5) and more than the display capacity (3) of the display section 18e), the copy mode is not switched into the facsimile mode. In other words, the numeric limit (5) does not correspond to the display capacity (3) of the display section 18e in the copy mode, but rather corresponds to "numeric data, e.g., "5", which is difficult to be regarded as the number of copies or a magnification (col.6, lines 65-66). Thus, MATSUNAI does not disclose the controller which, when the copy mode is set and when the numerical value input by the panel section exceeds the display capacity of the screen in the copy mode, switches from the copy mode to the facsimile mode. Rather, MATSUNAI switches when a number of digits input reaches a limit value (e.g., 5).

On the other hand, in the present invention, the threshold value for input of digits in the copy mode relates to how many digits the display screen is capable of displaying in the copy mode. For example, the specification of the present invention describes "For example, the threshold value for input digits is set at two to allow only two digits to be displayed", at page 7, lines 12-13.

Thus, Therefore, MATSUNAI does not comply with the requirements of claims 35 and 44.

Therefore, it is respectfully submitted that the features recited in Applicant's claims 35-36 and 44 are not disclosed in MATSUNAI cited by the Examiner.

With respect to claims 37-39 and 45, the Examiner contends that "Fig.4 MATSUNAI shows that STP6 is checked during the copy mode and after the number that is not a copy number is being entered (N=5). After the number that is not a copy number is being entered in the copy mode, the program would prevent the copy

operation being performed even if start key is on because the program is not at STP3. Only the time the program is at STP3 that a copy operation can be performed according to Fig. 4.”

However, this is incorrect. MATSUNAI shows that STP6 is checked during the copy mode (STP1→STP2→STP3→STP4→STP5→STP6) and after the number that is a copy number is entered (N = 4 or less) (STP6→STP3). MATSUNAI also shows that, when the number that is not a copy number is entered (N=5) (STP6→STP7), the program goes to STP 7 (the copy mode is switched into the facsimile mode). This means that, whenever the number that is not a copy number is entered (N=5), the copy mode is switched into the facsimile mode. In other words, when the number that is not a copy number is entered (N=5), the program can not maintain the copy mode and thus MATSUNAI does not comply with the recitations of claim 37. Thus, MATSUNAI does not disclose a controller which, when the copy mode is set and when the numerical value input by the panel section is not the numerical value corresponding to the number of copies, does not start copying, even if the start key is actuated. In addition, MATSUNAI does not disclose a controller which waits for another input by the panel section when the controller does not start copying, since MATSUNAI disclose only one input to STP 7 when the number that is not a copy number is entered (N=5) (STP6→STP7).

In direct contrast, for example, the specification of the present invention discloses “On the other hand, since two, which is smaller than the number of digits in a facsimile transmission number, is used as the threshold value, if three or more digits are input and the start key 37 is entered during the copy mode, the execution of the

P18896.A09

mode is stopped to prevent copying and the display section 32 shows 'Enter correct number. Press reset key.' In this case, if a reset key 36 is entered, the operator starts all over again (S12)" at page 9, lines 13-20. Thus, the pending claims are totally distinguished over MATSUNAI.

Therefore, it is respectfully submitted that the features recited in Applicant's claims 37-39 and 45 are not disclosed in MATSUNAI cited by the Examiner.

With respect to claims 40, 42-43 and 46, the Examiner contends that MATSUNAI discloses determining whether or not a numerical value input by the panel section includes a predetermined character (e.g., the character of 11111 or 23478, STP6, Fig.4).

However, this is incorrect. Claims 40, 42-43 and 46 require "a predetermined character". However, the combination of characters 11111 or 23478 is not a predetermined character, but rather is an arrangement of a predetermined number of any characters. The term "a predetermined character" recited in claims 40, 42-43 and 46 refers to a specific character (or input) and does not refer to a predetermined number of any input characters. Step STP 6 of Fig.4 dose not refer to any particular (i.e., a predetermined) character, but to a predetermined number (5 or less) of characters. Thus, MATSUNAI dose not comply with the requirements of claims 40, 42-43 and 46.

Therefore, it is respectfully submitted that the features recited in Applicant's claims 40, 42-43 and 46 are not disclosed in MATSUNAI cited by the Examiner.

P18896.A09

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the outstanding objection and rejection, and an indication of the allowability of all the claims pending in the present application in due course.

SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has amended one rejected claim for consideration by the Examiner. With respect to the pending claims, Applicant has pointed out the features thereof that distinguish the same from the cited reference. Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all claims in the present application and respectfully requests an indication of the allowability of all the claims pending in the present application in due course.

The amendments to the claims which has been made in this amendment, which has not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

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